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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,994	10/02/2003	Craig S. Erickson	50606/JEJ/M930	9246

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EXAMINER

HUNNINGS, TRAVIS R

ART UNIT	PAPER NUMBER
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2632

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/677,994	Applicant(s) ERICKSON ET AL.	
	Examiner Travis R. Hunnings	Art Unit 2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-14, 16 and 18-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5, 7-14, 16, 18 and 19 is/are allowed.
- 6) ☒ Claim(s) 20-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The indicated allowability of claims 6, 17 and 24 are withdrawn in view of the newly discovered reference(s) to Neuhouser. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Regarding claim 20, the phrase "can be" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claim 20 is rejected under 35 U.S.C. 102(b) as being anticipated by Neuhouser (US Patent 5,051,733).

Regarding claim 20, Neuhouser discloses *High Voltage Indicator Device* that has the following claimed limitations:

The claimed detection circuitry capable of detecting electromagnetic radiation generated by the traffic in at least one of the wires, and of generating a detection signal in response is met by the electrically conductive sheath consisting of a plurality of turns of wire wrapped around an insulated electrical conductor and establishing a capacitive alternating current in the wire when there is current on the insulated electrical conductor (abstract);

The claimed traffic indicator capable of receiving the detection signal, and of providing a visual indication of the traffic responsive to the detection signal is met by the fluorescent tube being lit (abstract);

The claimed traffic detector comprises a flexible portion that can be wrapped around the cable is met by the layer of semi-conducting tape, electrically conductive sheath, layer of stress-relieving tape and the outer layer of electrical insulating tape wrapped around the insulated electrical conductor (abstract).

The claimed term 'traffic' is interpreted as any form of electricity flowing through the cable that can either be present or absent with the presence/absence being detectable.

The claimed phrase 'connecting a computer to a peripheral device' is not given any weight because it does not breathe into the body of the claim.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neuhouser.

Regarding claims 21 and 23, it would have been obvious to one of ordinary skill in the art to modify the device to be able to detect traffic (be it power or data) on any form of wire including USB, FireWire, COM, LPT and SCSI cables. Even though the device of Neuhouser requires a larger amount of voltage to induce a indication in the lamp, this would be due to the large amount of insulation covering the wire carrying the voltage and therefore on smaller wires, such as USB etc., the voltage required to induce an indication would be reduced because of the reduced insulation. Detecting traffic as data would be the same as detecting traffic as voltage. The data that would be sent across the wire would be done using intermittent voltage which would be detected the same as power that is constantly on the wire.

Regarding claim 22, it would have been obvious to one of ordinary skill in the art to substitute a different indicator (e.g. LED) for the fluorescent tube disclosed by Neuhouser.

Allowable Subject Matter

8. Claims 1-5, 7-14, 16, 18 and 19 are allowed.

9. The following is an examiner's statement of reasons for indicating allowable subject matter: regarding independent claims 1 and 7, the prior art does not disclose nor suggest a cable capable of providing a visual indication of traffic comprising driving circuitry that comprises a driving transistor having a first electrode, a second electrode and a third electrode wherein the first electrode is coupled to said at least one data signal carrying wire, the second electrode is coupled to power and a gate of the transistor, and the third electrode is coupled to ground and wherein the transistor turns on when the driving transistor turns off, and the transistor turns off when the driving transistor turns on, thereby generating the detection signal;

Regarding independent claims 12 and 18, the prior art does not disclose nor suggest an adapter for a cable having one or more wires to provide a visual indication of traffic on the cable comprising driving circuitry comprising a driving transistor having a first gate, a second gate and a third gate wherein in use the first gate is coupled to said at least one data signal carrying wire the second gate is coupled to power and a gate of the transistor and the third gate is coupled to ground and wherein in use the transistor turns on when the driving transistor turns off and the transistor turns off when the driving transistor turns on thereby generating the detection signal;

Examiner makes note that even though some grammatical/ambiguous language was changed in dependent claims 7 and 18, the claims as written in independent form

in the amendment dated 10 May 2005 are still identical in scope and are therefore still allowable as indicated in the office action dated 25 February 2005.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Green, Voltage Pickup Circuit And Flashing Display For High Voltage Indicator Device, And Input Electrode Therefor, US Patent 5,065,142;

Dunk et al. Faulted Circuit Detector Having Isolated Indicator, US Patent 5,475,371;

Wiesman et al. Self-Powered Powerline Sensor, US Patent 5,892,430.

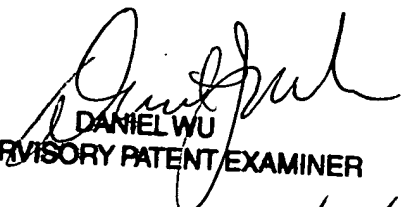
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis R. Hunnings whose telephone number is (571) 272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TRH


DANIEL WU
SUPERVISORY PATENT EXAMINER
2/09/05